

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DWAYNE HOOSIER,

Petitioner,

v.

Civil No. 2:12-cv-11414  
Honorable George Caram Steeh  
United States District Judge

JOHN PRELSNIK,

Respondent.

\_\_\_\_\_ /

**ORDER GRANTING PETITIONER'S MOTION TO REOPEN CASE [Dkt. 15]**

Dwayne Hoosier, a state prisoner, filed a *pro se* petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On December 5, 2012, this Court entered an opinion and order holding the case in abeyance pending the completion of state post-conviction proceedings. The Court also administratively closed the case. Petitioner has now filed a motion to reopen the case.

Federal courts have the power to order that a habeas petition be reinstated upon timely request by a habeas petitioner. See *Woods v. Gilmore*, 26 F. Supp. 2d 1093, 1095 (C.D. Ill. 1998); *Parisi v. Cooper*, 961 F. Supp. 1247, 1249 (N.D. Ill. 1997). Because Petitioner claims that he has exhausted his claims in the state courts, his petition is now ripe for consideration. Accordingly, the Court will order that the case be reopened.

**IT IS ORDERED** that the petition for a writ of habeas corpus is reinstated to the Court's active docket.

**IT IS FURTHER ORDERED** that Respondent shall file a responsive pleading and the Rule 5 materials within one-hundred and twenty (120) days of this order.

Dated: June 16, 2015

s/George Caram Steeh  
GEORGE CARAM STEEH  
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on June 16, 2015, by electronic and/or ordinary mail and also on Dwayne Hoosier #197620, Macomb Correctional Facility, 34625 26 Mile Road, New Haven, MI 48048.

s/Barbara Radke  
Deputy Clerk